



## Side-by-Side: Major Changes to Labor Condition Application (LCA) ETA Form 9035/9035E

Prior to November 19 , 2018	On and After November 19, 2018
<b>Rate of Pay and Employment and Prevailing Wage Information</b>	<b>New Employment and Prevailing Wage Information Section</b>
<p><b>Section F: Rate of Pay</b></p> <ul style="list-style-type: none"> <li>➤ Enter range of wage and frequency</li> </ul> <p><b>Section G: Employment and Prevailing Wage Information</b></p> <ul style="list-style-type: none"> <li>➤ Enter place of employment</li> </ul>	<p><b>In addition to previously required information, new Section F: Employment and Wage Information adds:</b></p> <ul style="list-style-type: none"> <li>➤ Number of workers at the place of employment</li> <li>➤ Identification of any secondary entity</li> <li>➤ And combines the rate of pay, prevailing wage, and worksite information</li> </ul>
<b>Employer Labor Condition Statements</b>	<b>Employer Labor Condition Statements</b>
<p><b>Section H: Employer Labor Condition Statements</b></p> <ul style="list-style-type: none"> <li>➤ Employer agrees to statements as written</li> </ul>	<p><b>Section G: Employer Labor Condition Statements adds:</b></p> <ul style="list-style-type: none"> <li>➤ Clarification of terms and regulatory citations for each of the four attestations</li> <li>➤ Regulatory citations for reference</li> </ul>
<b>Additional Employer Labor Condition Statements</b>	<b>Additional Employer Labor Condition Statements</b>
<p><b>Section I: Additional Employer Labor Condition Statements – H-1B Employers Only</b></p> <ul style="list-style-type: none"> <li>➤ Employer answers H-1B Dependent and Willful Violator questions</li> <li>➤ Agrees to 3 additional statements in subsection 2</li> </ul>	<p><b>Section H: Additional Employer Labor Condition Statements – H-1B Employers Only</b></p> <ul style="list-style-type: none"> <li>➤ In addition to two previous questions, H-1B dependent/willful violator employer designates the statutory basis of exemption claimed</li> <li>➤ If education exemption (only) is claimed, Employer indicates whether Appendix A is attached (see below)</li> <li>➤ Clarification of terms and regulatory citations for each of the 3 statements in subsection 2</li> </ul>
<b>Disclosure of Education Credentials</b>	<b>Disclosure of Education Credentials</b>
<p><b>Currently not required</b></p>	<p><b>NEW Appendix A: Attainment of Educational Degree for “Exempt” H-1B Nonimmigrant.</b> New for Dependent Employers or Willful Violators claiming Master’s or higher degree exemption for an H-1B worker. Requires completion with:</p> <ul style="list-style-type: none"> <li>➤ Number of workers for the educational information entered</li> <li>➤ Name of accredited or recognized institution</li> <li>➤ Field of study</li> <li>➤ Date of degree award</li> <li>➤ Documentation of the academic degree</li> </ul>